

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION**

United States of America
ex rel. ALEX DOE, Relator,

The State of Texas
ex rel. ALEX DOE, Relator,

The State of Louisiana
ex rel. ALEX DOE, Relator,
Plaintiffs,

v.

Planned Parenthood Federation of America, Inc.,
Planned Parenthood Gulf Coast, Inc., Planned
Parenthood of Greater Texas, Inc., Planned
Parenthood South Texas, Inc., Planned Parenthood
Cameron County, Inc., Planned Parenthood San
Antonio, Inc.,

Defendants.

CIVIL ACTION NO. 2:21-CV-
00022-Z

Date: November 1, 2022

**DEFENDANTS' NOTICE REGARDING
RELATOR'S MOTION TO COMPEL
PRODUCTION AND APPOINTMENT OF FORENSIC EXAMINER**

On October 14, 2022, Relator filed a motion to compel production and appointment of forensic examiner to conduct a review and examination of Defendants' computer systems and electronic data, and for expedited consideration. Dtk. 220. This motion sought an extreme form of relief -- appointment of a forensic examiner of Relator's choosing to inspect Defendants' systems and assess whether they had met their production obligations.

On October 18, 2022, the Court set a briefing schedule requiring Defendants to file their response on or before Wednesday, October 26, 2022 and Relator to file their reply on or before

Friday, October 31, 2022. Dkt. 225. Defendants filed their responses on Wednesday, October 26, Dkts. 236, 237, and Relator filed their reply on Monday, October 31, 2022, Dkt. 242.

Relator for the first time in their Reply sought new relief that was not sought in their opening brief. Dkt. 242 at 8-11 (“Alternative to Proposed Forensic Examination Process”). Defendants intend to file a motion for leave to file sur-reply and proposed sur-reply to address Relator’s new proposal no later than November 2, 2022, and respectfully request that the Court defer ruling on Relator’s motion until Defendants have an opportunity to file the motion and proposed sur-reply.

Dated: November 1, 2022

Respectfully submitted,

ARNOLD & PORTER KAYE SCHOLER
LLP

By: /s/ Tirzah S. Lollar
Craig D. Margolis
Craig.Margolis@arnoldporter.com
Tirzah S. Lollar
Tirzah.Lollar@arnoldporter.com
Christian Sheehan
Christian.Sheehan@arnoldporter.com
Emily Reeder-Ricchetti
Emily.Reeder-Ricchetti@arnoldporter.com
Megan Pieper
Megan.Pieper@arnoldporter.com
Alyssa Gerstner
Alyssa.Gerstner@arnoldporter.com
Meghan C. Martin
Meghan.Martin@arnoldporter.com
601 Massachusetts Ave, NW
Washington, DC 20001-3743
Telephone: +1 202.942.5000
Fax: +1 202.942.5999

Christopher M. Odell
Texas State Bar No. 24037205
Christopher.Odell@arnoldporter.com

700 Louisiana Street, Suite 4000
Houston, TX 77002-2755
Telephone: +1 713.576.2400
Fax: +1 713.576.2499

Paula Ramer
250 West 55th Street
New York, New York 10019-9710
T: +1 212.836.8474
Paula.Ramer@arnoldporter.com

Ryan Patrick Brown
Texas State Bar No. 24073967
brown@blackburnbrownlaw.com
1222 S. Filmore
Amarillo, TX 79101
Tel: (806) 371-8333
Fax: (806) 350-7716

*Attorneys for Defendants Planned Parenthood
Gulf Coast, Inc., Planned Parenthood of
Greater Texas, Inc., Planned Parenthood of
South Texas, Inc., Planned Parenthood
Cameron County, Inc., and Planned
Parenthood San Antonio, Inc.*

O'MELVENY & MYERS LLP

/s/ Danny S. Ashby

Danny S. Ashby

Texas Bar No. 01370960

dashby@omm.com

Justin R. Chapa

Texas Bar No. 24074019

jchapa@omm.cm

Megan R. Whisler

Texas Bar No. 24079565

mwhisler@omm.com

2501 N. Harwood Street, Suite 1700

Dallas, Texas 75201

T: (972) 360-1900

F: (972) 360-1901

Leah Godesky (*pro hac vice*)

lgodesky@omm.com

1999 Avenue of the Stars, 8th Floor

Los Angeles, California 90067

T: (310) 553-6700

F: (310) 246-6779

Ryan Patrick Brown

Texas State Bar No. 24073967

ryan@ryanbrownattorneyatlaw.com

1222 S. Fillmore

Amarillo, TX 79101

Tel: (806) 372-5711

Fax: (806) 350-7716

*Attorneys for Defendant Planned Parenthood
Federation of America, Inc.*

November 1, 2022

CERTIFICATE OF SERVICE

I hereby certify that on November 1, 2022, the foregoing document was electronically filed with the Clerk of Court using CM/ECF.

/s/ Tirzah S. Lollar
Tirzah S. Lollar